

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
) Criminal No. 02-30043-MAP
)
) 18 U.S.C. §§ 371, 922(a)(1)(A)
) (Conspiracy to Deal Firearms
) without a License) (Count 1)
)
) 18 U.S.C. §§ 371, 922(k)
) (Conspiracy to Possess Firearms
) with Obliterated Serial Numbers)
) (Count 2)
)
) 18 U.S.C. § 922(k) (Possession
) of Firearms with Obliterated Serial
) Numbers) (Counts 3-7)
)
) 18 U.S.C. § 922(g)(1) (Possession
) of a Firearm After a Felony
) Conviction) (Counts 8-12)
(1) ALEKSEI SAFANOV,)
(2) IVAN TELEGUZ,) 21 U.S.C. § 841 (Distribution of
(3) ROMAN ZHIRNOV,) Cocaine) (Count 13)
(4) ANDREY BUYNOVSKIY,)
(5) MICHAEL QUICKEL,) 18 U.S.C. § 2 (Aiding and Abetting)
Defendants.) (Counts 4, 6, 9, 11, 12, 13)

SECOND SUPERSEDING INDICTMENT

The Grand Jury Charges:

COUNT ONE: [Title 18, United States Code, Sections 371 and 922(a)(1)(A): Conspiracy to Deal Firearms without a License]

1. On or about and between June 27, 2001, and October 3, 2002, in the District of Massachusetts, Pennsylvania, and elsewhere;

ALEXEI SAFANOV,
IVAN TELEGUZ,
ROMAN ZHIRNOV,
ANDREY BUYNOVSKIY, and
MICHAEL QUICKEL,

the defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each other and others known and unknown to the Grand Jury to commit an offense against the United States, namely, to engage in the business of dealing in firearms in interstate commerce without a license in violation of Title 18, United States Code, Section 922(a)(1)(A).

2. During all times relevant to this indictment, the defendants, ALEXEI SAFANOV, IVAN TELEGUZ, ROMAN ZHIRNOV, ANDREY BUYNOVSKIY, and MICHAEL QUICKEL, were neither licensed importers, nor licensed manufacturers, nor licensed dealers of firearms.

3. In furtherance of the conspiracy and to achieve the objects thereof, the defendants and their co-conspirators, known and unknown to the grand jury, committed and caused to be committed the following overt acts, among others, in the District of Massachusetts and elsewhere:

a. On or about July 2, 2001, ALEXEI SAFANOV, ROMAN ZHIRNOV and ANDREY BUYNOVSKIY sold an individual two firearms that had traveled in interstate commerce.

b. On or about April 6, 2002, ALEXEI SAFANOV and ANDREY BUYNOVSKIY sold an individual one firearm that had traveled in interstate commerce.

c. On or about May 20, 2002, ALEXEI SAFANOV sold an individual one firearm that had traveled in interstate commerce.

d. On or about June 24, 2002, ALEXEI SAFANOV and IVAN TELEGUZ sold an individual four firearms that had traveled in interstate commerce.

e. On or about July 16, 2002, ALEXEI SAFANOV and IVAN TELEGUZ sold an individual four firearms that had traveled in interstate commerce. Two of the firearms originally were purchased in Pennsylvania by MICHAEL QUICKEL.

f. On or about August 25, 2002, IVAN TELEGUZ sold an individual eight firearms that had traveled in interstate commerce. At least one of the firearms originally was purchased in Pennsylvania by MICHAEL QUICKEL.

g. On or about August 30, 2002, IVAN TELEGUZ sold an individual two firearms that had traveled in interstate commerce. These two firearms originally were purchased in Pennsylvania by MICHAEL QUICKEL.

h. On or about October 3, 2002, IVAN TELEGUZ and ROMAN ZHIRNOV sold an individual one firearm that had traveled in interstate commerce. This firearm originally was purchased in Pennsylvania by MICHAEL QUICKEL.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO: [Title 18, United States Code, Sections 371 and 922(k : Conspiracy to Possess Firearms with Obliterated Serial Numbers]

4. On or about and between June 27, 2001, and October 26, 2002, in the District of Massachusetts, Pennsylvania, and elsewhere,

ALEXEI SAFANOV,
IVAN TELEGUZ, and
ROMAN ZHIRNOV,

the defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each other and others known and unknown to the Grand Jury to commit an offense against the United States, namely, to possess or receive firearms which had the importer's or manufacturer's serial number removed, obliterated or altered, and which had, at any time, been shipped or transported in interstate or foreign commerce in violation of Title 18, United States Code, Section 922(k).

5. In furtherance of the conspiracy and to achieve the objects thereof, the defendants and their co-conspirators, known and unknown to the grand jury, committed and caused to be committed the following overt acts, among others, in the District of Massachusetts and elsewhere:

a. On or about July 16, 2002, ALEXEI SAFANOV and IVAN TELEGUZ sold an individual three firearms which had the importer's or manufacturer's serial numbers removed, obliterated or altered, and which had been shipped or transported in interstate or foreign commerce.

b. On or about August 25, 2002, IVAN TELEGUZ sold an individual six firearms which had the importer's or

manufacturer's serial numbers removed, obliterated or altered, and which had been shipped or transported in interstate or foreign commerce.

c. On or about August 30, 2002, IVAN TELEGUZ sold an individual two firearms which had the importer's or manufacturer's serial numbers removed, obliterated or altered, and which had been shipped or transported in interstate or foreign commerce.

d. On or about October 3, 2002, IVAN TELEGUZ and ROMAN ZHIRNOV sold an individual one firearm which had the importer's or manufacturer's serial numbers removed, obliterated or altered, and which had been shipped or transported in interstate or foreign commerce.

e. On or about October 26, 2002, ALEXEI SAFANOV possessed a firearm which had the importer's or manufacturer's serial number removed, obliterated or altered, and which had been shipped or transported in interstate or foreign commerce.

All in violation of Title 18, United States Code, Section 371.

COUNT THREE: [Title 18, United States Code, Section 922(k): Possession of Firearms with Obliterated Serial Numbers]

6. On or about July 16, 2002, in the District of Massachusetts, and elsewhere,

ALEXEI SAFANOV,

the defendant herein, did knowingly and intentionally possess or receive two Mossberg firearms which had the importer's or manufacturer's serial number removed, obliterated or altered, and which had, at any time, been shipped or transported in interstate or foreign commerce.

All in violation of Title 18, United States Code, Section 922(k).

COUNT FOUR: [Title 18, United States Code, Sections 922(k) and 2: Possession of Firearms with Obliterated Serial Numbers and Aiding and Abetting]

7. On or about August 25, 2002, in the District of Massachusetts, and elsewhere,

ALEXEI SAFANOV, and
IVAN TELEGUZ,

the defendants herein, did knowingly and intentionally possess or receive three Romarm, one Smith and Wesson, one Saiga and one SKS firearms which had the importer's or manufacturer's serial numbers removed, obliterated or altered, and which had, at any time, been shipped or transported in interstate or foreign commerce.

All in violation of Title 18, United States Code, Sections 922(k) and 2.

COUNT FIVE: [Title 18, United States Code, Section 922(k): Possession of Firearms with Obliterated Serial Numbers]

8. On or about August 30, 2002, in the District of Massachusetts, and elsewhere,

IVAN TELEGUZ,

the defendant herein, did knowingly and intentionally possess or receive one Cobray and one Intratec firearm which had the importer's or manufacturer's serial numbers removed, obliterated or altered, and which had, at any time, been shipped or transported in interstate or foreign commerce.

All in violation of Title 18, United States Code, Section 922(k).

COUNT SIX: [Title 18, United States Code, Section 922(k) and 2: Possession of Firearms with Obliterated Serial Numbers and Aiding and Abetting]

9. On or about October 3, 2002, in the District of Massachusetts, and elsewhere,

IVAN TELEGUZ, and
ROMAN ZHIRNOV,

the defendants herein, did knowingly and intentionally possess or receive one Romarm firearm which had the importer's or manufacturer's serial number removed, obliterated or altered, and which had, at any time, been shipped or transported in interstate or foreign commerce.

All in violation of Title 18, United States Code, Sections 922(k) and 2.

COUNT SEVEN: [Title 18, United States Code, Section 922(k): Possession of Firearms with Obliterated Serial Numbers]

10. On or about October 26, 2002, in the District of Massachusetts, and elsewhere,

ALEXEI SAFANOV

the defendant herein did knowingly and intentionally possess or receive one Mossberg firearm which had the importer's or manufacturer's serial number removed, obliterated or altered, and which had, at any time, been shipped or transported in interstate or foreign commerce.

All in violation of Title 18, United States Code, Section 922(k).

COUNT EIGHT: [Title 18, United States Code, Section 922(g) (1): Possession of a Firearm After a Felony Conviction]

11. On or about May 20, 2002, in the District of Massachusetts, the defendant,

ALEXEI SAFANOV,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce a firearm, that is, a Ruger pistol, serial number 67-8208, which had previously been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 922(g) (1) and 924(a) (2).

COUNT NINE: [Title 18, United States Code, Sections 922(g)(1) and 2: Possession of a Firearm After a Felony Conviction and Aiding and Abetting]

12. On or about July 16, 2002, in the District of Massachusetts, the defendant,

ALEXEI SAFANOV,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce four firearms, that is, two Remington firearms, serial numbers PC226742 and 384319, and two Mossberg firearms with obliterated serial numbers, all of which had previously been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 2.

COUNT TEN: [Title 18, United States Code, Section 922(g) (1): Possession of a Firearm After a Felony Conviction]

13. On or about October 26, 2002, in the District of Massachusetts, the defendant,

ALEXEI SAFANOV,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce a firearm, that is, a Romarm firearm with an obliterated serial number, which had previously been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 922(g) (1) and 924(a) (2).

COUNT ELEVEN: [Title 18, United States Code, Sections 922(g) (1) and 2: Possession of a Firearm After a Felony Conviction and Aiding and Abetting]

14. On or about July 2, 2001, in the District of Massachusetts, the defendant,

ROMAN ZHIRNOV,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce two firearms, that is, two Romarm firearms, serial numbers RC3161-1960 and RA4887-1958, which had previously been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 2.

COUNT TWELVE: [Title 18, United States Code, Sections 922(g)(1) and 2 Possession of a Firearm After a Felony Conviction and Aiding and Abetting]

15. On or about October 3, 2002, in the District of Massachusetts, the defendant,

ROMAN ZHIRNOV,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce a firearm, that is, a Romarm firearm with an obliterated serial number, which had previously been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 2.

COUNT THIRTEEN: [Title 21, United States Code, Section 841:
Distribution of Cocaine; Title 18, United
States Code, Section 2: Aiding and Abetting]

16. On or about June 25, 2002, in the District of
Massachusetts,

ALEXEI SAFANOV,

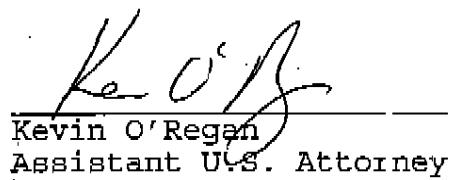
the defendant herein, did knowingly and intentionally distribute
and possess with intent to distribute a mixture or substance
containing a detectable amount of cocaine, a Schedule II
Controlled Substance.

All in violation of Title 21, United States Code, Section
841(a)(1), and Title 18, United States Code, Section 2.

A TRUE BILL



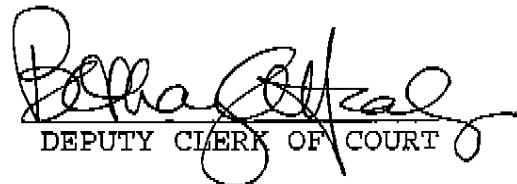
Foreperson of the Grand Jury



Kevin O'Regan
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS:

Returned into the District Court by the Grand Jurors and
filed on January 20, 2004 at 3:23pm



Deputy Clerk of Court